

Re: NEPA Call-In Technical Inquiry 0019 - Firing Range Requirements

Dear NEPA Call-In User:

This letter is in response to your January 16, 1997 request for information regarding remediation requirements for an outdoor firing range. You stated your client is planning to construct a firing range for local law enforcement personnel in Colorado. Specifically, you would like to know if there are any requirements governing periodic lead removal associated with firing range maintenance.

NEPA Call-In contacted Mr. Randy Lamdin, Environmental Protection Specialist, Environmental Protection Agency (EPA) Region VIII, (303) 312-6350, for information on the requirements for the removal of lead from firing ranges. Mr. Lamdin provided "U.S. EPA Region VIII RCRA Program Policy for Remediation of Rifle and/or Pistol Ranges," undated (enclosed). This document discusses range remediation in EPA Region VIII, which includes Colorado. According to Mr. Lamdin and the document, EPA Region VIII has determined site remediation is required when a small arms range is closed. He also stated Region VIII strongly encourages owners/operators to consider periodic remediation of operating ranges. Periodic remediation would include the removal of lead for safety reasons (ricochet hazards). Lead remediation must follow the steps outlined in the EPA Region VIII Resource Conservation and Recovery Act (RCRA) Program Policy for Remediation.

Mr. Lamdin stated the US EPA Headquarters Office of Solid Waste and Emergency Response addresses the applicability of RCRA regulations to firing ranges in an attachment to the document title he provided (also enclosed). RCRA regulates hazardous waste to include lead. The attachment states RCRA regulations do not apply to firing ranges because "the discharge of rifle and/or pistol ammunition does not constitute hazardous waste disposal because the (EPA) does not consider the rounds from these weapons to be discarded, which is a necessary criterion to be met before a material can be considered a solid waste and subsequently, a hazardous waste." However, remedial authority does exist under RCRA Sections 7002 and 7003 (enclosed) which states Federal district courts have the authority to require remedial actions at shooting ranges where an imminent and substantial endangerment to health or the environment may exist. Further the only regulatory standard for lead is included in Title 40 Code of Federal Regulations 261.24, Table 1 (enclosed) which sets the regulatory level for lead at 5 milligrams per liter.

NEPA Call-In contacted Ms. Kathy Hotovac, Customer Technical Assistant, Hazardous Materials and Waste Management Division, Colorado Department of Health and Environment, (303) 692-3320, for any additional State requirements. Ms. Hotovac referred us to Ms. Sheila Gaston, Environmental Compliance Officer, Hazardous Waste Corrective Actions Program, (303) 692-3332, who referred us to Mr. David Kruchek, Environmental Protection Specialist, of the same office. Mr. Kruchek stated there were no additional State requirements.

Lead contamination at firing ranges may be minimized by using bullet traps rather than earthen berms for back stops. Another option is to use lead-free ammunition. NEPA Call-In is enclosing a Product Information Packet (PIP) provided by PRO-ACT, the Air Force "full service" environmental information clearinghouse sponsored by Headquarters Air Force

Center for Environmental Excellence. The PIP includes information on firing range design and remediation, lead-free ammunition, and lead recyclers. The PIP also includes the original draft to the document provided by Mr. Lamdin.

In summary, periodic range operations which involve lead removal are considered remediation activities and are governed by the EPA. NEPA Call-In has enclosed the EPA's guidance on range remediation as well as information on range design and operation which may help reduce the amount of lead discharged to the range and the resulting remediation task frequency.

Finally, at your request, we are enclosing a NEPA Call-In trifold brochure and the NEPA Call-In Fact Sheet titled "Wetlands."

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Sincerely,

(Original Signed)

NEPA Call-In Researcher